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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/917,991 | 07/30/2001 | Roger L. Palmer | 4898*2 | 9771 |

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| EXAMINER |
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HWANG, JOON H

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| ART UNIT | PAPER NUMBER |
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2162

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 09/917,991 | Applicant(s) PALMER, ROGER L. | |
| | Examiner Joon H. Hwang | Art Unit 2162 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The applicant amended claims 1, 3-7, 9-13, and 15-18 in the amendment received on 10/6/04.

The pending claims are 1, 3-7, 9-13, and 15-18.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7, and 13 have been considered but are moot in view of the new ground(s) of rejection.

The applicants added in claims 1, 7, and 13 the limitations of the searchable database includes information about numerous schools to enable the athletes to match their skills with schools seeking their specific skills, receiving a search query from the search criteria input system, searching the searchable database to identify recruiting information associated with a set of schools matching the search query, and the detailed recruiting information being stored in the searchable database. These limitations are addressed in the following rejection.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 3, 5-7, 9, 11-13, 15, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitley et al. (U.S. Publication No. US 2001/0034734 A1) in view of Joao (U.S. Patent No. 6,662,194).

With respect to claim 1, Whitley discloses a method for recruiting athletes that enables collegiate recruiters (item 110 in fig. 1) to search a database of athletes (item 150 in fig. 1) to enable the collegiate recruiters to match their seeking skills with athletes having their seeking skills (abstract and sections 45 and 47 on page 2). Whitley discloses providing a searchable database (item 150 in fig. 1) of athletes seeking to be recruited by the collegiate recruiters, wherein the searchable database includes information about the athletes to enable the collegiate recruiters to match their seeking skills with athletes having their seeking skills (sections 45 and 47 on page 2). Whitley discloses providing a search criteria input system (item 120 in fig. 1) which implements an electronic search input process, the criteria input system providing the collegiate recruiters with various search criteria from which the collegiate recruiters may choose to vary the scope of the search for athletes (search interfaces in figs. 10D and 10F-I). Whitley discloses receiving a search query from the search criteria input system (section 47 on page 2 and sections 51-52 on page 3). Whitley discloses searching the searchable database to identify athletes information matching the search query (sections 47-48 on page 2 and sections 51-52 on page 3). Whitley discloses providing a display system (item 120 in fig. 1) which displays the athletes information matching the search query that enables the collegiate recruiters to match their seeking skills with athletes having their seeking skills, the athletes information being stored in the searchable database (sections 45, 47, and 48 on page 2 and figs. 10E). Whitley discloses displaying detailed athletes information selected by the collegiate recruiters, the detailed athletes information being stored in the searchable database (sections 45,

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47, and 48 on page 2 and figs. 10K-Q). In overview, Whitely teaches the collegiate recruiters searches athletes by querying the database of athletes, wherein the database contains athletes information or profiles provided or posted by athletes. Whitely does not explicitly disclose enabling athletes to search a database of schools seeking their specific skills. However, Joao discloses a system providing recruitment information (abstract). The recruitment information system of Joao enables employers (item 30 in fig. 1), hiring entities, to post recruiting information (lines 33-38 in col. 14, lines 47-62 in col. 15, and lines 18-25 in col. 21) to a central database in a central processing computer (item 10 in fig. 1) and to search employees (line 66 in col. 25 thru line 10 in col. 26) whom may meet the recruiting information by querying the central database (fig. 6A and fig. 6B). The recruitment information system of Joao also enables employees, individuals, to post their profiles (lines 1-20 in col. 22) to the central database in the central processing computer and to search employers (lines 42-53 in col. 22) whom may meet a search criteria inputted by the individuals (fig. 5A and fig. 5B). Joao discloses such recruitment information system can be utilized for performing the provision of recruitment services for schools, colleges, universities, and/or any organizations of any kind (lines 38-42 in col. 10 and lines 30-48 in col. 36). Joao discloses the recruitment information system is provided in order to reduce recruiting cost, job search efforts, and expenses to individuals (lines 47-50 in col. 6). Therefore, by utilizing the teachings of Joao to the system of Whitely, the system of Whitely would be able to enable schools to post their recruiting information to the database in the central server and athletes to search the schools seeking their specific skills. Therefore,

based on Whitely in view of Joao, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teachings of Joao to the system of Whitely for enabling athletes to search a database of schools seeking their specific skills in order to reduce recruiting cost and expenses to individuals (i.e., athletes).

With respect to claim 3, Whitely discloses a search criteria includes a player's position (fig. 10H). Joao further discloses information about employers includes positions desired to be filled (lines 47-62 in col. 15), which may be used by employees as a search criteria. Therefore, the limitations of claim 3 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 5, Whitely discloses searching step comprises comparing the search query to the information listed in the searchable database (sections 45, 47, and 48 on page 2). Therefore, the limitations of claim 5 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 6, Whitely discloses a name of school coach of a player (fig. 10L). Joao further discloses detailed information about employers includes positions desired to be filled (teaching players needed), employer history (teaching previous year accomplishments), etc., (lines 47-62 in col. 15). Therefore, the limitations of claim 6 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

The limitations of claims 7 and 13 are rejected in the analysis of claim 1 above, and these claims are rejected on that basis.

The limitations of claims 9 and 15 are rejected in the analysis of claim 3 above, and these claims are rejected on that basis.

The limitations of claims 11 and 17 are rejected in the analysis of claim 5 above, and these claims are rejected on that basis.

The limitations of claims 12 and 18 are rejected in the analysis of claim 6 above, and these claims are rejected on that basis.

5. Claims 4, 10, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitley et al. (U.S. Publication No. US 2001/0034734 A1) in view of Joao (U.S. Patent No. 6,662,194), and further in view of Wolfston (U.S. Patent No. 5,815,155).

With respect to claim 4, Whitely and Joao disclose the claimed subject matter as discussed above except typing in any part of a school name to see if that college is listed in the searchable database. However, Wolfston disclosing a searchable database of numerous schools (lines 27-57 in col. 6, lines 3-10 in col. 7, and fig. 4) teaches a user may type in any part of a school name to see if that college is listed in the searchable database (lines 3-32 in col. 7 and fig. 4) for the convenience of the user in inputting for school name (i.e., the user does not need to type a whole school name for searching). Therefore, based on Whitely in view of Joao, and further in view of Wolfston, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Wolfston to the system of Whitely for typing in any part of a school name to see if that college is listed in the searchable database for the user's convenience.

The limitations of claims 10 and 16 are rejected in the analysis of claim 4 above, and these claims are rejected on that basis.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

BW SportsWire ("careerexperience.com Survey of Job Seekers Uncovers Internships as Popular Alternative to Fulltime Positions; Responds With Sports Internships Listings", 11/17/199, pages 1-2, retrieved from http://www.findarticles.com/p/articles/mi_m0EIN/is_1999_Nov_17/ai_57614449/print on 1/6/05) discloses a database of sports jobs.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joon Hwang 
Patent Examiner
Technology Center 2100

January 7, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER